

Order

Entered: July 30, 2004

Michigan Supreme Court
Lansing, Michigan

Maura D. Corrigan,
Chief Justice

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Clifford W. Taylor
Robert P. Young, Jr.
Stephen J. Markman,
Justices

124083(67)(68)

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

LATASHA GENISE MORSON,
Defendant-Appellee.

SC: 124083
COA: 238750
Oakland CC: 1999-167284-FC

Defendant has filed motions for permission to file a supplemental brief discussing *Blakely v Washington*, 524 US ____; 124 S Ct ____; ____ L Ed 2d ____ (2004), and for immediate consideration of that motion. Immediate consideration is GRANTED, and the motion is GRANTED. Given our resolution of the sentencing issues in this case, it is unnecessary to address whether due process requires that the prosecution prove the elements of a crime that someone else committed before a court can base a defendant's sentence on the actions of the other person. Further, in *People v Claypool*, 470 Mich ____ (2004), it was determined that *Blakely* is inapplicable to Michigan's indeterminate sentencing scheme.



I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 30, 2004

Corbin R. Davis
Clerk